SINGLE BENCH

C.S. 100/—

CANCELLED

(1) (3)

Cf 1001

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 1133 OF 2005

PETITIONER — SHASHI KANT VERMA, SON OF LATE SHRI M. L. VERMA, AGED ABOUT 53 YEARS, RETIRED ASSISTANT ACCOUNTANT, DISTRICT AND SESSIONS COURT, AMBIKAPUR, DISTRICT SURGUJA (C.G.) AND RESIDENT OF CHOPDA COLONY, AMBIKAPUR DISTRICT SURGUJA (C.G.).

P.R. No. 1139/05
Presented by Shri Rakesh Pandey
dated 15-03-05

VERSUS

RESPONDENTS — 1. STATE OF CHHATTISGARH, THROUGH: THE SECRETARY, LAW AND LEGISLATIVE DEPARTMENT, D.K.S. BHAWAN RAIPUR, (C.G.).

2. THE DISTRICT AND SESSIONS JUDGE, DISTRICT COURT AMBIKAPUR, DISTRICT SURGUJA (C.G.).

शपथ आयुक्त
बिलासपुर (छ.ग.)

Kiran Verma

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI ETC.

(24)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 1133/ **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11-5-2005

On a mention being made, the case is taken up for hearing.

Miss Kiran Verma, counsel for the petitioner.

Mr. G.K. Beriwal, counsel for the State/respondent No.1.

Mr. Ashish Shrivastava, Advocate appears on behalf of Mr. Manindra Shrivastava, Senior Advocate, as amicus curie.

Heard.

The petitioner has preferred this writ petition under Article 226/ 227 of the Constitution of India, seeking a relief that the respondents be directed to make retiral benefits to the petitioner with an interest of 24% per annum.

The case of the petitioner is that he was appointed as Clerk in the year 1976 in the erstwhile State of Madhya Pradesh, thereafter, he was promoted on the post of Assistant Accountant Grade-II, and he retired on 20th March, 2003, on seeking voluntary retirement which was accepted. Copy of the acceptance order of voluntary retirement of the petitioner is Annexure P-1. However, after taking voluntary retirement the petitioner has not been paid gratuity, GPF and leave encashment. In para 5.7 of the petition it has been mentioned that the petitioner is entitled for total amount of Rs.5,57,775/- in the heads of gratuity, GPF, pension, leave encashment, and commuted leave.

XI-HC-78

(25)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... W.P. 1133/ ..... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Learned counsel for the petitioner submitted that even a representation was made to the District Judge and thereafter to the Registrar General, but so far nothing has happened. She further submitted that the petitioner may be allowed to make a representation to respondent No.2 within ten days and in turn, respondent No.2 be directed to decide the same within another period of two months for making retiral benefits to the petitioner, to which learned counsel for the State of Chhattisgarh/respondent No.1 and learned counsel appearing as Amicus Curie have no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a representation to respondent No.2 within 10 days from today, in turn, respondent No.2 is directed to decide the same and pass appropriate order after considering the grievances raised by the petitioner within two months from the date of receipt of the representation, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, I.A.No.2158/2005 also standsdisposed of. Parties are entitled for certified copy of this order. Sdl- L.C. Bhadoo Judge	

Soma